

July 27, 2009

The Common Council met as the Water Utility Board on the above date at 7:00 p.m. in the Meeting Room at City Hall Annex with Mayor Tucker presiding and members Askren, Hoehn, Curtis, and Higgins attending. Board member Fuelling was not present. Others attending were Attorney Higgins; Supt. Gray; Chief Beloit; Chief Waters; Supt. Givens; Rich DeMarco – Johnson Controls, Inc.; Toni Ricketts; Jilleen Strobel; Jeff Pruitt – Economic Development Commission of Southwest Indiana; Larry Williams; Judy Whitten; Nancy Sexton; Andy Hoehn; Chris Robinson; Bob Boerner; Sara Manifold – Mount Vernon Democrat; and Pam Robinson – Posey County News.

Mayor Tucker called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. He added if not, he entertains a motion to waive their reading and to approve the minutes as presented.

Board member Higgins moved the reading of the minutes be waived and they be approved as presented. Seconded by Board member Curtis.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker requested action on the claims presented.

Board member Hoehn moved the claims presented be allowed for payment. Seconded by Board member Askren.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

*****CLAIMS*****

Mayor Tucker stated they will now hear the report of the Water Chairman.

Chairman Curtis stated after their last meeting he met with Mr. DeMarco and Mr. Honebrink of Johnson Controls and JCI agreed to pick the up additional fees that will be incurred for work at Tile Factory Road and Seibert Lane. He added JCI then went before the County Commissioners and signed a guarantee on the road work, the city will not be involved in that guarantee. He then stated cuts were being made today and the work will be done before the start of school.

Supt. Gray reported results of the geotextile bag sludge study. He showed the Board different jars of water collected during the different stages of the study and concluded the department is now within permit limits, even in the summer time. He added the bags are producing prime top soil that can be land applied which means they can sell it instead of

land filling it. He stated by land applying the sludge they will be saving around \$1M. He concluded by stating it is a simple set up and he feels they are good to go.

Board member Hoehn asked if the labor involved with this is more or less than before ?

Supt. Gray replied less actually, all that is required is dosage; one man changes the bags each shift as needed, they are right on track.

Mayor Tucker asked if there were any questions ?

There were none.

Mayor Tucker stated they have the Financial Report before them and any questions could be directed to Bookkeeper Bennett.

Mayor Tucker asked if the Clerk-Treasurer had any Communications for the Board ?

Clerk-Treasurer Wolfe replied not at this time.

Mayor Tucker asked if there were any Legals for consideration ?

Attorney Higgins stated they have a Resolution for recommendation to the Council, transferring \$90,000 from Water Construction Fund to Water Operating & Maintenance. She added this Resolution comes as a request from Utility Bookkeeper Bennett.

Board member Curtis stated water usage is down this summer and they have had some fees hit outside their normal monthly routine.

Board member Hoehn moved passage of the Resolution to Transfer be recommended to Council. Seconded by Board member Askren.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Board voting as follows:

Askren – yes; Fuelling – absent; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Attorney Higgins stated she sent Board information on the rate study and Scott Miller of Umbaugh will be at their August 10 meeting for a presentation on that. She then stated if Board has questions, concerns, or recommendations, they should get with her before that date. She added purpose of the study is to see how losing Aventine's business is going to affect the water department.

Mayor Tucker asked if anyone in the Audience wished to address the Board ?

There was no response.

Mayor Tucker asked if there was any Old Business ?

There was none.

Mayor Tucker asked if there was any New Business ?

There was none.

Mayor Tucker stated if there were no further business, he entertains a motion to adjourn.

Board member Askren moved the meeting be adjourned. Seconded by Board member Higgins.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously and adjourned the meeting.

John Tucker
Mayor

ATTEST:

Cristi L. Wolfe
Clerk-Treasurer

July 27, 2009

The Common Council met immediately following the Water Utility Board on the above date in the Meeting Room at City Hall Annex with Mayor Tucker presiding and members Askren, Hoehn, Curtis, and Higgins attending. Councilman Fuelling was not present. Others attending were Attorney Higgins; Supt. Gray; Chief Beloit; Chief Waters; Supt. Givens; Rich DeMarco – Johnson Controls, Inc.; Toni Ricketts; Jilleen Strobel; Jeff Pruitt – Economic Development Commission of Southwest Indiana; Larry Williams; Judy Whitten; Nancy Sexton; Andy Hoehn; Chris Robinson; Bob Boerner; Sara Manifold – Mount Vernon Democrat; and Pam Robinson – Posey County News.

Mayor Tucker called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. He added if not, he entertains a motion to waive their reading and to approve the minutes as presented.

Councilman Curtis moved the reading of the minutes be waived and they be approved as presented. Seconded by Councilwoman Hoehn.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker stated they will now hear the reports of the Standing Committees.

Street & Light Chairwoman Hoehn stated she has no report.

Mayor Tucker stated Comm. Maynard is not present and asked if there were any questions ?

There were none.

Police & Dog Chairwoman Askren stated she has no report.

Chief Beloat stated he has no report.

Mayor Tucker asked if there were any questions ?

There were none.

Fire Chairman Fuelling was not present.

Chief Waters stated he has no report.

Mayor Tucker asked if there were any questions ?

There were none.

Sewer Chairwoman Higgins stated the sewer project at the riverfront is ahead of schedule.

Supt. Givens stated he has been down checking on construction and everything seems to be going good. He added his employees went door to door handing out flyers last week to residents in case they had questions, concerns; it also listed contact information.

Mayor Tucker asked if there were any questions ?

There were none.

Mayor Tucker asked if the Clerk-Treasurer had any Communications for the Council ?

Clerk-Treasurer Wolfe replied not at this time.

Mayor Tucker stated they are now ready for the Legal portion of the Agenda.

Attorney Higgins stated the first item is the Resolution to Transfer in the Water Department from the Construction Fund to Operating & Maintenance, as recommended by the Utility Board.

Councilman Curtis moved Resolution be approved. Seconded by Councilwoman Hoehn.

Mayor Tucker asked if there were any questions ?

There were none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Fuelling – absent; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Clerk-Treasurer Wolfe added it will be numbered 09-18.

Attorney Higgins stated the next item is a continuation from last meeting, the Ordinance to Amend the City of Mt. Vernon Code of Ordinances, Title V – Public Works, Chapter 50 – Sewers, Section 50.197(E) – Charges for Use of Disposal System. She added said ordinance passed first reading as the last meeting and is now ready for second reading.

Councilwoman Hoehn moved ordinance pass second reading. Seconded by Councilman Curtis.

Mayor Tucker asked if there were any questions ?

There were none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Fuelling – absent; Hoehn – yes;
Curtis – yes; Higgins – yes.
Mayor Tucker stated the motion carried unanimously.

Attorney Higgins stated the next item has to do with applying for a planning grant. She explained Mayor Tucker and the EDC of SW IN are in the process of applying for a downtown redevelopment planning grant - \$50,000 with no matching funds from the city. She added it will be Community Development Block Grant money and the first step is a Resolution authorizing the application submission and signing of the application. Mr. Pruitt approached and stated it is rare that this type of grant requires no matching funds from the city, again, it will cost the city nothing. He added the planning grant will provide a nice plan for downtown development - \$1,250.00 will be for grant administration and \$48,750.00 will be for the actual work. He then stated the grant will be award September 25, 2009.

Mayor Tucker stated hopefully this will open doors for more grant money.
Councilwoman Askren moved the Resolution Authorizing Application Submission be approved. Seconded by Councilwoman Higgins.
Mayor Tucker asked if there were any questions ?

There were none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Fuelling – absent; Hoehn – yes;
Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.
Clerk-Treasurer Wolfe added it will be numbered 09-19.

Attorney Higgins stated the next item also relates to the planning grant, it is a Slum and Blight Area Declaratory Resolution for the area that will be studies and developed in the planning grant.

Councilwoman Hoehn asked if by declaring the area slum/blight it will devalue the property ?

Attorney Higgins replied this has been done with every grant the city has applied for, and as far as she is aware, no it does not devalue the property.

Councilman Curtis moved the Resolution Declaring a Slum and Blight area, from the Ohio River to 6th Street between College Avenue and midway between Walnut Street and Mulberry Street, be approved. Seconded by Councilwoman Hoehn.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Fuelling – absent; Hoehn – yes;
Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.
Clerk-Treasurer Wolfe added it will be numbered 09-20.

Attorney Higgins stated listed on the Agenda is a possible Resolution to “Energize Mt. Vernon”, but Councilman Fuelling indicated he was not ready for that yet, so they will table for the time being.

Attorney Higgins then stated the final item, inadvertently omitted from the Agenda is the second reading of the Vectren/SIGECO Bond Ordinance, which passed first reading at their last meeting. She added there will be a public hearing followed by third reading at their August 10 meeting.

Councilman Curtis moved the Ordinance pass second reading. Seconded by Councilwoman Hoehn.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Fuelling – absent; Hoehn – yes;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried unanimously.

Mayor Tucker asked if there were any other Legals for consideration.

Attorney Higgins stated she has emailed Council a draft Ordinance Creating Rules to be Observed During Festivals and Public Events on Public Property, relative to mainly pets, as first brought up by Councilwoman Higgins. She then stated they can either pass on first reading, or table for further study. She also stated she has included scooters, mopeds, bicycles, skateboards, and weapons.

Councilman Curtis stated he likes the way all the steps are spelled out on any violations. Councilwoman Higgins added barriers being listed is also a good idea, signage, etc. She then stated she has looked this over with a fine tooth comb and then moved it pass first reading. Seconded by Councilwoman Askren.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker requested a roll call vote.

Roll was called by the Clerk-Treasurer with Council voting as follows:

Askren – yes; Fuelling – absent; Hoehn – no;

Curtis – yes; Higgins – yes.

Mayor Tucker stated the motion carried.

Mayor Tucker asked if anyone in the Audience wished to address the Council ?

Chris Robinson approached and stated he lives at 1002 W. 2nd Street and he is here about the Mann/2nd Street parking situation. He added he would like to request that there be no parking on the west side of Mann Street, it is a narrow street, and though this is his side of the street, it really needs to be closed to parking for safety reason. He then stated he wondered if Council would be willing to close that side of the street, again, for safety more than anything else.

Mayor Tucker asked if anyone else wished to address the Council ?

Councilman Curtis stated he does have something to add once the Audience is finished.

Toni Ricketts stated she was present two weeks ago with some questions about the police department and she did in fact meet with Chief Beloit. She added he was courteous and she feels he did an excellent job, they are happy about the meeting and he should be commended for meeting with them.

Mayor Tucker thanked her for her comments.

Councilman Curtis presented the following:

Mann Street Information

Observations of Bill Curtis and Steve Fuelling

West Side First ½ Block (Robison)

Sidewalks are offset

By the fence there is a definitely 7' plus from sidewalk to edge of street

Councilman Fuelling's truck measures 7' from mirror to mirror

Fence is 6' high

12' from fence to street

See no problem with visibility as result of fence coming out of alley

Fence has a neat way of hiding trash containers

East Side of Street

Fence is about 6' from street

No parking by fence

Sidewalk is 5.5' from building

Building is 13' from street

No visible sidewalk by home, from corner to fence

1 parking spot North of tree and south of hydrant

1 spots from fence south to overhead door

2 rear axles lying on sidewalk (need removed)

107 Hansen has 3 parallel parking spots street and fence

Sidewalk is brick and almost completely covered

Is not a functional sidewalk

103 close to 2 parking spots on Barter

Councilman Curtis then stated they are concerned with safety but taking cars off the street and widening it could then make it a racetrack, he has seen it before. He added he also has reservations about making it a one-way street. He agreed it is narrow but if people slow down there is adequate space for two cars to pass, if other cars are parked correctly. He also observed there were some cars parked down there facing the wrong way on the street, which is a definite violation. He concluded by stating he and Councilman Fuelling did not feel it would be necessary to make the street one-way. He then asked if Council had any questions ?

Councilwoman Higgins asked if Attorney Higgins had talked with Mr. Breeze on this ?

Attorney Higgins replied she has sent him a letter but heard nothing back yet. Councilwoman Hoehn asked if there was anything on the books for alleys, like on regular streets, where so many feet from the alley it could be painted yellow for no parking ? She added if it is hard to see coming out of the alley, it could be because they are parking too close to the alley intersection.

Attorney Higgins agreed that with street intersections yes, there is a mandatory space, but alleys really the only ordinance deals with fences being right up against an alley. She added as far as no parking goes, she is not aware of that.

Councilman Curtis stated there is gate back there and a no parking sign on the gate – PLEASE DO NOT BLOCK DRIVE. He stated it seems there should be some courtesy there and just don't block the driveway which would take care of the situation.

Attorney Higgins added sidewalks just can not be obstructed with a gate, etc.

Councilwoman Hoehn questioned blocking the driveway or street ?

Attorney Higgins stated again, common courtesy, common sense, should be used about blocking someone's driveway.

Councilman Curtis stated there was a box trailer illegally parked on the street because it was too wide.

Mayor Tucker asked if anyone else wished to address the Council ?

There was no response.

Mayor Tucker asked if there was any Old Business ?

Attorney Higgins stated the TAW's were sold today to Cities Securities out of Indianapolis at a rate of 2.75%. She added there were three bidders, Old National and 1st Bank of Carmi were the other two. Hopefully Friday morning there will be a deposit made to the city's account.

Mayor Tucker asked if there was any New Business ?

Clerk-Treasurer Wolfe stated action is needed on moving the October 12 meeting to the 13th, as the 12th is a city holiday.

Councilwoman Askren moved the meeting be moved. Seconded by Councilman Curtis.

Mayor Tucker asked if there was any discussion ?

There was none.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker stated they will now hear the reports of the Districts.

1st District Councilwoman Askren stated she has no report.

2nd District Councilman Fuelling was not present.

3rd District Councilwoman Hoehn stated she has no report.

4th District Councilman Curtis stated he has no report.

Councilwoman-at-Large Higgins stated she has no report.

Mayor Tucker stated there will be a free concert Saturday, August 1 from 7:00 – 10:00 pm, the Joe Smith Trio, on Main Street, with Main being blocked from 3rd to 4th Street. He then stated Mt. Vernon was mentioned in Triple A Travel Guide as a place to visit, along with New Harmony. He concluded his report by stating Robbie Buchanan with the Evansville Western Railroad called and informed is they will be working on the Main Street crossing Thursday and Main will be closed from 5:00 to 10:00 pm for the work to be done, and then it will be opened back up.

Mayor Tucker stated if there was no further business, he entertains a motion to adjourn. Councilman Curtis moved the meeting be adjourned. Seconded by Councilwoman Higgins.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously and adjourned the meeting.

John Tucker
Mayor

ATTEST:

Cristi L. Wolfe
Clerk-Treasurer